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8 Daniel Lopez-Enriquez

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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 \* \* \*

13 UNITED STATES OF AMERICA,  
14  
15 Plaintiff,  
16 v.  
17 DANIEL LOPEZ-ENRIQUEZ  
18 Defendant.

2:19-cr-00007-CDS-NJK-2

19 **STIPULATION TO CONTINUE SENTENCING**

20 (First Request)

21 **IT IS HEREBY STIPULATED AND AGREED** by and between the Defendant, Daniel  
22 Lopez-Enriquez, by and through his attorney, Randall J. Roske, Esquire and between the  
23 Plaintiff, the United States of America, by and through its attorneys, Jason M. Frierson, United  
24 States Attorney, and Brian Whang, Assistant United States Attorney, that the Sentencing  
25 scheduled for October 13, 2022 at 9:30 AM be vacated and continued to a time convenient to the  
26 Court after approximately 45 days.

27 This Stipulation is entered into for the following reasons:

- 28 1. There are logistical problems concerning the translation and review in the Spanish  
language of the Pre-sentence Investigation Report and confirming information  
contained in said Report. Thus, additional time is needed to complete a thorough

review and preparation of Objections to the Pre-sentence Investigation Report.

2. Defendant needs the continuance of his Sentencing so he has a sufficient opportunity to review the Pre-sentence Report in Spanish and confer with his counsel regarding the preparation of Objections and the identification of any errors.

3. The Defendant also requests additional time to file any objections to the Pre-sentence Investigation Report as referenced above

3. That the Attorneys for the United States of America join in this request to continue the scheduled sentencing.

DATED: this 27th day of September 2022.

JASON M. FRIERSON,  
UNITED STATES ATTORNEY

/s/  
Randall J. Roske, Esquire  
Counsel for Daniel Lopez-Enriquez  
Defendant

/s/  
Brian Whang,  
Assistant United States Attorney  
Counsel for the United States

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

**UNITED STATES OF AMERICA,**  
  
**Plaintiff,**  
  
**v.**  
  
**DANIEL LOPEZ-ENRIQUEZ,**  
  
**Defendant.**

**2:19-cr-00007-CDS-NJK-2**

**ORDER CONTINUING SENTENCING**

**FINDINGS OF FACT**

Based upon the pending stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. That counsel for Defendant, Daniel Lopez-Enriquez makes the requested continuance to enable his counsel the opportunity to review with his client a Spanish translation of the Pre-sentence Investigation Report in an effort to identify any corrections, and Objections that should be filed as well as make any further investigation into the Defendant's background.

2. The Defendant has a significant history of medical and social records that are needed to substantiate this potential areas of mitigation.
3. Further additional time requested by this stipulation is necessary under Fed. R. Crim. P. 32, and for counsel to adequately prepare any objections to the Pre-sentence Report, and for the Probation Department and for the United States Attorney to respond in advance of the sentencing date.
4. This is the first request for a continuance of the sentencing date.
5. For all of the above stated reasons, good cause exists to grant a continuance of the sentencing date.

### CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the Court makes the following conclusions of law:

1. That the additional time requested for Sentencing and related relief is justified by the fact that the Defendant speaks Spanish and presently the translated version is unavailable. Additional time is therefore needed to adequately prepare the matter for sentencing, taking into consideration counsel's due diligence.
2. That good cause exists under Fed. R. Crim. P. 32(b)(2), to grant the requested continuance.

### ORDER

Based upon the Stipulation of the parties, and good cause appearing therefore:

IT IS HEREBY ORDERED that the Defendant's Sentencing be continued to a date convenient to the Court as follows:

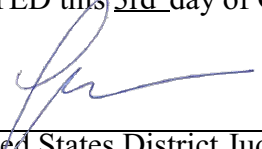
The Sentencing currently scheduled for October 13, 2022 at 9:30 a.m. be vacated and the same be continued to the 5th day of December, 2022, at the hour of 10: 30 a .m.

Any Objections to the Pre-sentence Report must be filed no later than the 31st day of October, 2022.

Any responsive pleadings must be filed no later than the 14th day of November, 2022.

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2 Any Addendum or revision must be submitted to the court at least seven business  
3 days before the Sentencing hearing.

4 DATED this 3rd day of October, 2022

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8 United States District Judge  
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